

PATENT

Attorney Docket No. 09367.0044-00000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
                          )  
Han-Jie Zhou et al. ) Group Art Unit: 1614  
                          )  
Application No.: 10/527,540 ) Examiner: Not Yet Assigned  
                          )  
Filed: March 11, 2005 )  
                          )  
For: COMPOUNDS, COMPOSITIONS, ) Confirmation No.: 5233  
      AND METHODS            )

**Mail Stop Missing Parts**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed foreign and non-patent literature documents are attached. Copies of the U.S. patent publications are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

In lieu of a statement of relevance or translation of the non-English document (WO 00/26212 A1), an English language version of a search report from the European

Patent Office in a corresponding application citing this document and setting forth the relevance thereof is enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: January 3, 2007

By:   
Lauren L. Stevens  
Reg. No. 36,691

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I hereby certify that this correspondence is being deposited with the United States Postal Services "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.

Date: January 3, 2007

Signed:   
Linda Phillips

IDS Form PTO/SB/08: Substitute for form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				Application Number	10/527,540
Sheet	1	of	1	Filing Date	March 11, 2005
				First Named Inventor	Han-Jie Zhou
				Art Unit	1614
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	09367.0044-00000

<b>U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS</b>					
Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			

**Note:** Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

<b>FOREIGN PATENT DOCUMENTS</b>					
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)			
		WO 00/26212 A1	May 11, 2000	Merck Patent GmbH	
		WO 03/088903 A2	Oct 30, 2003	Cytokinetics, Inc.; SmithKline Beecham Corporation	
		WO 2004/006865 A2	Jan 22, 2004	Cytokinetics, Inc.; SmithKline Beecham Corporation	
		WO 2005/042697 A2	May 12, 2005	Cytokinetics, Inc.; SmithKline Beecham Corporation	

<b>NON PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			Translation <sup>6</sup>
		PCT International Search Report for PCT/US03/28696, international filing date September 11, 2003, dated April 23, 2004, 2 pages.			

Examiner Signature		Date Considered	
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**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.